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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,149	03/11/2004	Takashi Ohama	118736	4313
25944 7590 02/23/2009 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850				
EXAMINER MCCULLOUGH, MICHAEL C				
ART UNIT 3653		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/797,149

**Applicant(s)**

OHAMA ET AL.

**Examiner**

MICHAEL C. MCCULLOUGH

**Art Unit**

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,6-15,18,19,23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-15 is/are allowed.
- 6) ☒ Claim(s) 1,3,6-10,18,19,23 and 24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

The amendment filed 7 November 2008 has been entered.

#### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

1. Claims 1, 3, 6, 8, 23, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hozumi (US 6,896,256 B2) in view of Sako et al. (US 6,073,927) in farther view of Higaki (US 2002/0074711). Hozumi discloses a sheet feeder comprising a drive roller unit (143) with a drive roller, an axis perpendicular to a sheet feed direction, and an axis on a slant, a driven roller unit (131-133) with a plurality of driven roller segments that are symmetrical. Hozumi does not disclose a curved path, an image reading part, a conveying roller pair, and a coefficient of friction of an outer layer of the driven roller is smaller than a coefficient of friction of an outer layer of the drive roller. However, Sako et al. discloses a similar device that includes the drive roller has a coefficient of friction greater than a coefficient of friction of the driven rollers (see column 6 lines 13-20), an image reading part (3), a conveying roller pair (21 and 22), and a curved conveying path (32) for the purpose of easily sliding against each other (see column 6 lines 13-20), facilitating reading an image, separating a sheet (see column 4 lines 56-63), and guiding a sheet. It would have been obvious for a person of ordinary skill in the art at the time of the applicant's invention to modify Hozumi by utilizing a curved path, an image reading part, a conveying roller pair, and a coefficient of friction of an outer layer of the driven roller is smaller than a coefficient of friction of

an outer layer of the drive roller, as disclosed by Sako et al., for the purpose of easily sliding against each other, facilitating reading an image, separating a sheet, and guiding a sheet.

2. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hozumi (US 6,896,256 B2) in view of Sako et al. (US 6,073,927), as applied to claims 1. 3. 6. 8, 23, and 24 above, in farther view of Fowler (US 3,666,262). Hozumi in view of Sako et al. discloses all of the limitations of the claims but does not disclose urging members. However, Fowler discloses a similar device that includes urging members (see column 3 lines 20-27) for the purpose of causing rollers to come into working association. It would have been obvious for a person of ordinary skill in the art at the time of the applicant's invention to modify Hozumi in view of Sako et al. by utilizing urging members, as disclosed by Fowler, for the purpose of causing rollers to come into working association.

3. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hozumi (US 6,896,256 B2) in view of Sako et al. (US 6,073,927), as applied to claims 1. 3. 6. 8, 23, and 24 above, in farther view of Kawano et al. (JP 2000-318904). Hozumi in view of Sako et al. discloses all of the limitations of the claims but does not disclose an axis of the driven roller is inclined at an angle of 1-3°. However, Kawano et al. discloses a similar device that includes an axis of the driven roller is inclined at an angle of 1-3° (see Page 6 paragraph 0075 and Figure 13b elements 16) for the purpose of preventing formation of wrinkles (see Page 7 paragraph 0088). It would have been obvious for a person of ordinary skill in the art at the time of the applicant's invention to modify

Hozumi in view of Sako et al. by utilizing an axis of the driven roller is inclined at an angle of 1-3°, as disclosed by Kawano et al., for the purpose of preventing formation of wrinkles.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hozumi (US 6,896,256 B2) in view of Sako et al. (US 6,073,927), as applied to claims 1, 3, 6, 8, 23, and 24 above, in farther view of Fowler (US 3,666,262). Hozumi in view of Sako et al. discloses all of the limitations of the claims but does not disclose the drive roller unit and the driven unit has the same number of segments. However, Fowler discloses a similar device that includes the same number of drive segments (8-10) as driven segments (3-5) for the purpose of creating roller nips. It would have been obvious for a person of ordinary skill in the art at the time of the applicant's invention to modify Hozumi in view of Sako et al. by utilizing the same number of segments, as disclosed by Fowler, for the purpose of creating roller nips.

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hozumi (US 6,896,256 B2) in view of Sako et al. (US 6,073,927). Hozumi discloses a first drive shaft (143) with a drive roller, a second drive shaft (131 and 133) with a centermost (82b) and outermost (82c) more upstream than the first drive shaft. Hozumi does not disclose a reading point. However, Sako et al. discloses a similar device that includes an image reading (3) and a drive roller has a coefficient of friction greater than a coefficient of friction of the driven rollers (see column 6 lines 13-20) for the purpose of facilitating reading an image and easily sliding against each other (see column 6 lines 13-20. It would have been obvious for a person of ordinary skill in the art at the time of

the applicant's invention to modify Hozumi by utilizing an image reading point and a drive roller has a coefficient of friction greater than a coefficient of friction of the driven rollers, as disclosed by Sako et al., for the purpose of facilitating reading an image and easily sliding against each other.

6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hozumi in view of Sako et al., as applied to claim 18 above, in farther view of Kawano et al. (JP 2000-318904). Hozumi in view of Sako et al. discloses all of the limitations of the claims but does not disclose an axis of the driven roller is inclined at an angle of 1-3° and. However, Kawano et al. discloses a similar device that includes an axis of the driven roller is inclined at an angle of 1-3° (see Page 6 paragraph 0075 and Figure 13b elements 16) for the purpose of preventing formation of wrinkles (see Page 7 paragraph 0088). It would have been obvious for a person of ordinary skill in the art at the time of the applicant's invention to modify Hozumi in view of Sako et al. by utilizing an axis of the driven roller is inclined at an angle of 1-3°, as disclosed by Kawano et al., for the purpose of preventing formation of wrinkles.

#### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1 and 18 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL C. MCCULLOUGH whose telephone number is (571)272-7805. The examiner can normally be reached on Monday-Friday, 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrick H. Mackey/  
Supervisory Patent Examiner, Art  
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MCM